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3
4 BILL NO. S-75-02-03

5 SPECIAL ORDINANCE NO. S- ⁵⁴~~31-75~~

6 AN ORDINANCE approving a certain bid document for
7 furnishing material and labor for the reconstruction
8 of Foellinger Outdoor Theatre

9 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
10 WAYNE, INDIANA:

11 SECTION 1. A certain bid document Ref. 612 dated September
12 24, 1974, by and through its Mayor and the Board of Park Commissioners and
13 the following:

14 SILKWORTH CONSTRUCTION CO. - P. O. 3-29931
15 General Construction For Reconstruction of
16 Foellinger Outdoor Theatre \$627,000.00

17 SHAMBAUGH & SONS, INC. - P. O. 3-30001
18 Plumbing and Fire Protection - For Recon-
struction of Foellinger Outdoor Theatre 34,930.00

19 SCHMIDT ELECTRIC, INC. - P. O. 3-30002
20 Electrical - For Reconstruction of Foellinger
Outdoor Theatre 35,400.00

21 TOTAL \$697,330.00

22 all as more specifically set forth in said bid document Ref. No. 612 and said
23 Purchase Order numbers, which are on file in the Office of the Department
24 of Purchasing and are by reference incorporated herein and made a part here-
25 of, are hereby in all things ratified, confirmed and approved.

26 SECTION 2. This Ordinance shall be in full force and effect from
27 and after its passage and approval by the Mayor.
28

29
30 Vivian H. Schmidt
31 Councilman

32
33
34
35
APPROVED AS TO FORM
AND LEGALITY,
Mark B. Orr
CITY ATTORNEY

Read the first time in full and on motion by W. Schmidt, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197_____, at _____ o'clock P.M., E.S.T.

Date: 2/11/75

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by W. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. Passed (~~Lost~~) by the following vote:

	AYES <u>9</u>	NAYS _____	ABSTAINED _____	ABSENT _____	to-wit:
BURNS	<u>✓</u>	_____	_____	_____	
HINGA	<u>✓</u>	_____	_____	_____	
KRAUS	<u>✓</u>	_____	_____	_____	
MOSES	<u>✓</u>	_____	_____	_____	
NUCKOLS	<u>✓</u>	_____	_____	_____	
SCHMIDT, D.	<u>✓</u>	_____	_____	_____	
SCHMIDT, V.	<u>✓</u>	_____	_____	_____	
STIER	<u>✓</u>	_____	_____	_____	
TALARICO	<u>✓</u>	_____	_____	_____	

DATE: 2-25-75

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. S-37 75 on the 25th day of February, 1975.

ATTEST: Charles W. Westerman
CITY CLERK

(SEAL)

James Stier
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of February, 1975, at the hour of 11:30 o'clock A. M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 26th day of February, 1975, at the hour of 11:30 o'clock PM M., E.S.T.

Don H. Probst
MAYOR

Bill No. S-75-02-03

REPORT OF THE COMMITTEE ON FINANCE

Be, your Committee on Finance to whom was referred an Ordinance
approving a certain bid document for furnishing material and labor for the
reconstruction of Foellinger Outdoor Theatre

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

Vivian G. Schmidt - Chairman

William T. Hinga - Vice-Chairman

John Nuckols

Winfield C. Moses, Jr.

Paul M. Burns

Vivian G. Schmidt
William T. Hinga
John Nuckols
Winfield C. Moses, Jr.
Paul M. Burns
CONCURRED IN

DATE 2-25-75 CHARLES W. WESTERMAN, CITY CLERK

MEMO FROM PURCHASING DEPARTMENT

January 28, 1975

Board of Park Commissioners
8th Flr., City-County Bldg.
One Main St., Ft. Wayne, Ind. 46802

Attention: Dennis Noak

Subject: Bid No. 612

Attached are copies of the successful bidders.

Silkworth Construction	(P.O. 3-29931)	
Item 1 - General Construction		\$627,000.00
Shambaugh & Sons	(P.O. 3-30001)	
Item 2 - Plumbing & Fire Protection		34,930.00
Schmidt Electric	(P.O. 3-30002)	
Item 3 - Electrical		35,400.00
		<hr/>
Total:		\$697,330.00

Tabulation sheet is attached.

A. T. Lemcuth

Memorandum

To Lexy Demetroff, Director of Purchasing Date 1/28/75
From Phil Bennett, Assistant Superintendent of Recreation
Subject Foellinger Outdoor Theatre Bids

COPIES TO:

R. Arnold
D. Noak

Acceptance of bids for re-construction of
Foellinger Outdoor Theatre at Franke Park.

Please accept apparent lowest and best bids:

Item #1 - General Construction	
Silkworth Construction	\$ 627,000
Item #2 - Plumbing and Fire Protection	
Shambaugh and Sons	\$ 34,930
Item #3 - Electrical	
Schmidt Electric	\$ 35,400

RECEIVED
PURCHASING DEPT.
JAN 28 1975 PM
AM
7:8:9:10:11:12:13:14:15:16

A

CITY OF FORT WAYNE

DEPARTMENT OF PURCHASES
NUMBER ONE EAST MAIN STREET
ROOM 470
FORT WAYNE, INDIANA 46802

PURCHASE ORDER NUMBER

3 - 29931

MAIL ALL CORRESPONDENCE, CLAIM VOUCHERS ETC. TO:

Board of Park Commissioners
8th Floor City County Building
One Main Street - Fort Wayne, Indiana

Silkworth Construction Company
501 Wolf Drive
Fort Wayne, Indiana

DELIVER TO:
DEPARTMENT
OR DIVISION

DATE January 28, 1975
REF. NO.
REQ. NO. 694

THE ABOVE INFORMATION MUST APPEAR ON
ALL INVOICES, BILLS OF LADING, DELIVERY
TICKETS, PACKAGES AND CORRESPONDENCE.
INVOICE IN DUPLICATE.

THIS PURCHASE ORDER ISSUED BY:

DEPT. DP

DATE
WANTED

APPROPRIATION
AND FUND
NUMBER

ADDRESS
CASH DISCOUNT TERMS % IF PAID WITHIN DAYS FROM DELIVERY AND
ACCEPTANCE OF GOODS OR PERFORMANCE OF SERVICES. (DEDUCTION FOR DISCOUNT SHOWN BELOW)

QUANTITY ORDERED	UNIT	MATERIALS, SUPPLIES OR SERVICES	UNIT PRICE	AMOUNT
TAX EXEMPT (UNLESS OTHERWISE INDICATED)				
<p>COMPLIANCE WITH THE DELIVERY DATE REQUESTED WILL AVOID "FOLLOW UP" CORRESPONDENCE.</p> <p>NOTE</p> <p>↓</p> <p>READ</p> <p>INSTRUCTIONS ON THE BACK OF THIS ORDER</p> <p>THE CONTRACTOR OR VENDOR, BY ACCEPTING THIS ORDER, AGREES TO THE GENERAL CONDITIONS AND TERMS OF AGREEMENT ON THE BACK OF THIS ORDER.</p> <p>UNLESS OTHERWISE INDICATED THE PRICES SHOWN INCLUDE ALL CHARGES FOR DELIVERY, PACKING, ETC., NECESSARY TO COMPLETE DELIVERY TO DESTINATION SPECIFIED.</p> <p>UNLESS OTHERWISE INDICATED THE PRICES SHOWN DO NOT INCLUDE TAXES OF ANY KIND.</p> <p>EXEMPTION BLANKS WILL BE FURNISHED WHEN NECESSARY.</p> <p>IND. SALES TAX EXEMPT. CERTIF. NO. 34508</p> <p>IF THIS ORDER DOES NOT AGREE WITH YOUR QUOTATION, KINDLY RETURN IT WITH AN EXPLANATION.</p>		Item No. 1 - General Construction - For Reconstruction of Foellinger Outdoor Theatre.		627,000.00
		Per Bid Reference No. 612		
		Subject to Councilmanic Approval		
	RB/gb			

I HEREBY CERTIFY THAT THE COST OF THE ABOVE PURCHASE IS FULLY COVERED BY UNENCUMBERED BALANCES IN THE ABOVE FUNDS AND THAT THE EXPENDITURE THEREFOR HAS BEEN DULY AUTHORIZED AND APPROPRIATED.

I HEREBY CERTIFY UPON MY OWN PERSONAL KNOWLEDGE THAT THIS ORDER IS AUTHORIZED BY A PROPERLY EXECUTED AND APPROVED REQUISITION ON FILE IN THIS OFFICE.

Edward G. Kamnikar - City Controller

Alex T. Demetrot - Director of Purchases

Per

Per

Reception & Services Dept.

CITY OF FORT WAYNE

DEPARTMENT OF PURCHASES
NUMBER ONE EAST MAIN STREET
ROOM 470
FORT WAYNE, INDIANA 46802

MAIL ALL CORRESPONDENCE, CLAIM VOUCHERS ETC. TO:

Board of Park Commissioners
8th Floor - City County Building
One Main Street - Fort Wayne, Indiana

Shambaugh & Sons, Inc.
137 Chambeau Road
Fort Wayne, Indiana

DELIVER TO:

DEPARTMENT
OR DIVISION

ADDRESS

CASH DISCOUNT TERMS

% IF PAID WITHIN

DAYS FROM DELIVERY AND

ACCEPTANCE OF GOODS OR PERFORMANCE OF SERVICES. (DEDUCTION FOR DISCOUNT SHOWN BELOW)

PURCHASE ORDER NUMBER

3 - 30001

DATE

January 28, 1975

REF. NO.

REQ. NO.

694

THE ABOVE INFORMATION MUST APPEAR ON
ALL INVOICES, BILLS OF LADING, DELIVERY
TICKETS, PACKAGES AND CORRESPONDENCE.

INVOICE IN DUPLICATE.

THIS PURCHASE ORDER ISSUED BY:

DEPT. DP

DATE

WANTED

APPROPRIATION

AND FUND

NUMBER

QUANTITY ORDERED	UNIT	MATERIALS, SUPPLIES OR SERVICES	UNIT PRICE	AMOUNT
TAX EXEMPT (UNLESS OTHERWISE INDICATED)				
<p>COMPLIANCE WITH THE DELIVERY DATE REQUESTED WILL AVOID "FOLLOW UP" CORRESPONDENCE.</p> <p>NOTE</p> <p>↓</p> <p>READ</p> <p>INSTRUCTIONS ON THE BACK OF THIS ORDER</p> <p>THE CONTRACTOR OR VENDOR, BY ACCEPTING THIS ORDER, AGREES TO THE GENERAL CONDITIONS AND TERMS OF AGREEMENT ON THE BACK OF THIS ORDER.</p> <p>UNLESS OTHERWISE INDICATED THE PRICES SHOWN INCLUDE ALL CHARGES FOR DELIVERY, PACKING, ETC., NECESSARY TO COMPLETE DELIVERY TO DESTINATION SPECIFIED.</p> <p>UNLESS OTHERWISE INDICATED THE PRICES SHOWN DO NOT INCLUDE TAXES OF ANY KIND.</p> <p>EXEMPTION BLANKS WILL BE FURNISHED WHEN NECESSARY.</p> <p>INV. SALES TAX EXEMP. CERTIF. NO. 34508</p> <p>IF THIS ORDER DOES NOT AGREE WITH OUR QUOTATION, KINDLY RETURN IT WITH AN EXPLANATION.</p>		Item No. 2 - Plumbing and Fire Protection - For Reconstruction of Foellinger Outdoor Theatre.		34,930.00
		Per Bid Reference No. 612		
		Subject to Councilmanic Approval		
		RB/gb		

I HEREBY CERTIFY THAT THE COST OF THE ABOVE PURCHASE IS FULLY COVERED BY UNENCUMBERED BALANCES IN THE ABOVE FUNDS AND THAT THE EXPENDITURE THEREFOR HAS BEEN DULY AUTHORIZED AND APPROPRIATED.

I HEREBY CERTIFY UPON MY OWN PERSONAL KNOWLEDGE THAT THIS ORDER IS AUTHORIZED BY A PROPERLY EXECUTED AND APPROVED REQUISITION ON FILE IN THIS OFFICE.

Edward G. Kamnikar - City Controller

Alex T. Demetrot - Director of Purchases

CITY OF FORT WAYNE

DEPARTMENT OF PURCHASES
NUMBER ONE EAST MAIN STREET
ROOM 470
FORT WAYNE, INDIANA 46802

MAIL ALL CORRESPONDENCE, CLAIM VOUCHERS ETC. TO:

Board of Park Commissioners
8th Floor - City County Building
One Main Street - Fort Wayne, IndianaSchmidt Electric, Inc.
5810 Illinois Road
Fort Wayne, Indiana

DELIVER TO:-

DEPARTMENT
OR DIVISION

ADDRESS

CASH DISCOUNT TERMS % IF PAID WITHIN DAYS FROM DELIVERY AND
ACCEPTANCE OF GOODS OR PERFORMANCE OF SERVICES. (DEDUCTION FOR DISCOUNT SHOWN BELOW)

PURCHASE ORDER NUMBER

3- 30002

DATE January 28, 1975

REF. NO.

REQ. NO. 694

THE ABOVE INFORMATION MUST APPEAR ON
ALL INVOICES, BILLS OF LADING, DELIVERY
TICKETS, PACKAGES AND CORRESPONDENCE.

INVOICE IN DUPLICATE.

THIS PURCHASE ORDER ISSUED BY:

DEPT. DP

DATE

WANTED

APPROPRIATION

AND FUND

NUMBER

QUANTITY ORDERED	UNIT	MATERIALS, SUPPLIES OR SERVICES	UNIT PRICE	AMOUNT
COMPLIANCE WITH THE DELIVERY DATE REQUESTED WILL AVOID "FOLLOW UP" CORRESPONDENCE.				
NOTE READ INSTRUCTIONS ON THE BACK OF THIS ORDER THE CONTRACTOR OR VENDOR, BY ACCEPTING THIS ORDER, AGREES TO THE GENERAL CONDITIONS AND TERMS OF AGREEMENT ON THE BACK OF THIS ORDER. UNLESS OTHERWISE INDICATED THE PRICES SHOWN INCLUDE ALL CHARGES FOR DELIVERY, PACKING, ETC., NECESSARY TO COMPLETE DELIVERY TO DESTINATION SPECIFIED. UNLESS OTHERWISE INDICATED THE PRICES SHOWN DO NOT INCLUDE TAXES OF ANY KIND. EXEMPTION BLANKS WILL BE FURNISHED WHEN NECESSARY. IND. SALES TAX EXEMP. CERTIF. NO. 34508 IF THIS ORDER DOES NOT AGREE WITH YOUR QUOTATION, KINDLY RETURN IT WITH AN EXPLANATION.				
		TAX EXEMPT (UNLESS OTHERWISE INDICATED) Item No. 3 - Electrical - For Reconstruction of Foellinger Outdoor Theatre. Per Bid Reference No. 612 Subject to Councilmanic Approval RB/gb		35,400.00

I HEREBY CERTIFY THAT THE COST OF THE ABOVE PURCHASE IS FULLY COVERED BY UNENCUMBERED BALANCES IN THE ABOVE FUNDS AND THAT THE EXPENDITURE THEREFOR HAS BEEN DULY AUTHORIZED AND APPROPRIATED.

I HEREBY CERTIFY UPON MY OWN PERSONAL KNOWLEDGE THAT THIS ORDER IS AUTHORIZED BY A PROPERLY EXECUTED AND APPROVED REQUISITION ON FILE IN THIS OFFICE.

Edward G. Kamnikar - City Controller

Alex T. Demetrotti - Director of Purchases

DECLARATION OF BID	ITEM 1	ITEM 2	PAGE 1 of 4 ITEM 3	TOTAL
BID REF. 612 CLOSING DATE 9/24/74 Park Department	General Construction of Franke Park Outdoor Theatre	Plumbing & Fire Protection Construction Franke Park Outdoor Theatre	Electrical Construction of Franke Park Outdoor Theatre	
NON-COLL-OK BOND-OK Schmidt Electric			35,400. ⁰⁰ Cpt per Gen. Cont. program	
R & A Electric				
Huguenard Corporation				
NON-COLL-OK BOND-OK Hambrock Electric			43,228. ⁰⁰ Less 1844 Chimes for Power Req. 3 ?	
NON-COLL-OK BOND-OK Industrial Piping		38,000. ⁰⁰ - Installation #1		
NON-COLL-OK BOND-OK Loew Electric			44,900. ⁰⁰ Cpt per Gen. Cont. program	

TABULATION OF BID	ITEM 1	ITEM 2 PAGE 2 of 4	ITEM 3	TOTAL
BID-REF. 612 CLOSING DATE 9/24/74 Park Department	General Construction of Franke Park Outdoor Theatre	Plumbing & Fire Protec- tion Construction Franke Park Outdoor Theatre	Electrical Construction of Franke Park Outdoor Theatre	
NON-COLL-OK BOND-OK Silkworth Construction	627,000. ⁰⁰ 12. ⁰⁰ cu yd Excl. 170. ⁰⁰ " " Coverage 250 Days ARO			
NON-COLL-OK BOND-OK Shambaugh & Sons <u>Electric</u>		34,930. ⁰⁰ 20 Days ARO	42,190. ⁰⁰ ?	
NON-COLL-OK BOND-OK A. Hatersley & Sons			42,471. ⁰⁰ AS Required	
NON-COLL-OK BOND-OK Havel Brothers			43,933. ⁰⁰ follow Gen. Cont.	
ESP Inc.				
NON-COLL-OK BOND-OK Dix-Kelly			49,428. ⁰⁰ 300 Days ARO	

TABULATION OF BID

BID REF. 612

CLOSING DATE 9/24/74
Park Department

ITEM 1

General Construction of
Franke Park Outdoor
Theatre

ITEM 2 PAGE 3 of 4

Plumbing & Fire Protec-
tion Construction
Franke Park Outdoor
Theatre

ITEM 3

Electrical Construction
Franke Park Outdoor
Theatre

TOTAL

WON - CALL - OK BOND - OK

Henry Electric

41,248.⁰⁰

Spt. per Gen. Cont. figures

A.M. Tilbury

Haugh P. & H.

Grewe Construction

WON - CALL - OK BOND - OK

Schenkel & Sons

731,600.⁰⁰
16,000 yd EXC.V
120,000 " CONCRETE
B.D. IN 30 DAYS - 160 DAYS CPT

(10 DAYS ARO)

WON - CALL - OK

Michael Kinder

1/2 complete

No 1st price

787,588.⁰⁰

365 DAYS CPT

ABULATION OF BID

BID REF. 612

CLOSING DATE 9/24/74
Park Department

ITEM 1

General Construction of
Franke Park Outdoor
Theatre

ITEM 2 PAGE 4 of 4

Plumbing & Fire Protec-
tion Construction
Franke Park Outdoor
Theatre

ITEM 3

Electrical Construction
Franke Park Outdoor

TOTAL

Pearson, Inc.

D.V.T. Inc.

NON-CALL - OK BOND -

Votaw & Sons

Incomplete 1st PAGE

52,727.⁰⁰

120 Days Ar^o

NON-CALL - OK BOND - OK

Central Electric

49,652.⁰⁰

Cpt. per Gov. Cont. progress

Let by L. Hoff & JS K. K. 9/24/74
10:30

Number One Main St., Ft. Wayne, Ind. 46802

INVITATION

Quotations, subject to the conditions on the reverse hereof, are requested on the following list of materials, supplies, equipment or services, for the department as mentioned, with delivery to destination as shown below. Quotations shall include all charges for delivery, packing, etc. Address your reply as indicated below.*

*Mail all replies and correspondence, etc. to Attn. of A.T.Demetrioff - 423-7037 DEPARTMENT OF PURCHASES

Room 908, Number One Main St., Ft. Wayne, Ind. 46802

REQUIRED FOR DELIVERY TO:

Department Board of Park Commissioners
or Division 8th Floor - City County Building
Address One Main Street - Fort Wayne, Indiana 46802

RETURN ORIGINAL TO THE CITY—RETAIN DUPLICATE COPY FOR YOUR FILE

Closing Tuesday - September 24, 1974 - 10:30 A.M.

TAXES: THE CITY IS EXEMPT FROM FEDERAL EXCISE AND INDIANA STATE SALES TAX. THE CITY'S INDIANA SALES TAX EXEMPTION CERTIFICATE NUMBER IS NO. 34508. PRICES SHOULD NOT INCLUDE THESE TAXES. See "Instructions to Bidders" No. 10 on reverse hereof for details.

TAX EXEMPT (Unless otherwise indicated)

Quantity	Unit	Materials, Supplies, Equipment or Services	Unit Price	Total Amount
		Item #1		
		General Construction of Franke Park Outdoor Theater.		
		Specifications and Blueprints attached.		
				\$627,000.0

Bid Bond required ☐ NO ☒ YES 5% of Bid Performance Bond ☐ NO ☒ YES 100% of Bid
See instruction item No. 18 on reverse side hereof.
Terms % cash discount if paid within days from delivery and acceptance of goods or completion of services.

PROPOSAL OR BID

In compliance with the above invitation for bids and subject to all conditions thereof, the undersigned offers and agrees, if this bid be accepted within a reasonable time from date of closing, to furnish any or all of the items or render such services upon which prices are quoted, in accordance with the specifications applying and at the price set opposite each item.

Delivery of any or all of the items or completion of services indicated shall be made within days from receipt of order.

IMPORTANT

As delivery may be a deciding factor in the award of an order, it is important that bidders furnish the information requested above.

Sign Here:

SILKWORTH CONSTRUCTION COMPANY, INC.
Name of Company
For Joe D. Hattali Title Joe D. Hattali
Address 501 WOLF DRIVE
City FORT WAYNE IN 46825

Page 1 of 1

Ref. No. 612 - Item #1

Date September 3, 1974

Date wanted 9-24-74

Fund
Appropriation No.

GENERAL CONDITIONS, INSTRUCTIONS TO BIDDERS AND INFORMATION FOR BIDDERS

1. **Special Conditions:** Special conditions included in the Bid Document shall take precedence over any provisions stipulated hereunder.
2. **Applicable Laws:** The Revised statutes of the State of Indiana, and all City ordinances insofar as they apply to the laws of competitive bidding, contracts, and purchases, are made a part hereof.
3. **Workmen's Compensation:** Insofar as Workmen's Compensation Act is concerned, the bidder or contractor agrees to furnish an official certificate from the Industrial Board of Indiana, showing that he is in compliance with such law, whenever such certificates are required in the Bid Document.

4. **Infringements and Indemnifications:** The bidder, if awarded an order or contract, agrees to protect, defend, and save the City harmless against any demand for payment for the use of any patented material, process, article, or device that may enter into the manufacture, construction, or form a part of the work covered by either order or contract and be further agrees to indemnify and save the City harmless from suits or actions of every nature and description brought against it, for or on account of any injuries or damages received or sustained by a party or parties, by or from any of the acts of the contractor, his servants, or agents.

To this extent the bidder or contractor agrees to furnish adequate Public Liability and Property Damage Insurance, the amount of which will be determined by the City whenever such insurance is deemed necessary. When so required the types and amounts of insurance to be provided is set forth in the Bid Document.

5. **Pricing:** Prices should be stated in units of quantity specified in the Bid Document. In case of discrepancy in computing the amount of the bid the unit prices quoted will govern.
6. **Delivery:** Quotations should include all charges for delivery, packing, crating, containers, etc. Unless otherwise stated by the bidder prices quoted will be considered as being based on delivery to the destination designated in the Bid Document and to include all delivery and packing charges.
7. **Specifications:** Unless otherwise stated by the bidder the proposal will be considered as being in strict accordance with the specifications outlined in the Bid Document.

References to a particular trade name, manufacturer's catalog or model number are made for descriptive purposes to guide the bidder in interpreting the requirements of the City. They should not be construed as excluding proposals on other types of materials, equipment and supplies. However the bidder, if awarded a contract, will be required to furnish the particular item referred to in the specifications or description unless a departure or substitution is clearly noted and described in the proposal.

8. **Samples:** Samples, when requested, must be furnished free of expense to the City and if not destroyed, will upon request be returned at the bidder's expense.
9. **Cash Discounts:** Time in connection with cash discount offered, will be computed from date of delivery and acceptance at final destination or from date properly executed claim voucher is received, if the latter date is later than the date of delivery and acceptance.
10. **Taxes:** The City is generally exempt from Federal Excise and Indiana State Sales Tax. Quotations must be separated to show the amount to be added for taxes of any kind if applicable. Prices should not include tax. The City will pay such taxes as are applicable to this purchase. Exemption forms will be furnished wherever necessary. Taxes wherever indicated and which are applicable to this purchase, will not be subject to any trade or cash discounts.

11. **EM Informalities and Rejection:** The City reserves the right to waive informalities not inconsistent with law or to reject any or all bids.
12. **Award:** Unless otherwise specified in the Bid Document the City reserves the right to accept any item in the bid. Unless otherwise stated in the Bid Document bidders may submit proposals on any item or group of items, provided however that the unit prices are shown as requested.
13. **Payments:** Partial payments may be made upon presentation of properly executed claim voucher unless otherwise stated in the Bid Document. The final payment will be made by the City when the materials, supplies or equipment has been fully delivered and accepted or the work completed to the full satisfaction of the City.

14. **Bidder's Signatures:** Each proposal form must be signed by the bidder with his usual signature. All signatures should be in full. Bids by partnership should include the names of the partners composing the partnership and must be signed by one or more of the partners in the following manner: "John Jones and James Smith, d.b.a., Smith-Jones Company, by John Jones, a partner".

Bids by corporations must be signed with the names of the corporation, followed by the signature and designation of the president, vice-president, or person authorized to bind it in the matter.

15. The successful bidder, or contractor, agrees that he will comply with Indiana Acts 1941, chapter 208, section 10, being Burns Indiana Statute 40-2316-1944 supplement requiring each bidder, contractor, or his subcontractor not to discriminate with respect to hiring, tenure, terms, conditions, or privileges of employment because of race, color, religion, national origin or ancestry.

16. Unless otherwise specifically indicated under the individual listing in the legal advertisement or invitation to bid, all bids shall be subject to the following.

- a) A Bid bond, deposit of cash, certified check or Bank Cashiers Check, in the amount specified, drawn on a solvent bank payable to the City of Fort Wayne or to the contracting division thereof.
- b) The successful bidder will be required to furnish a bond or Certified Check on a solvent bank, payable to the City of Fort Wayne or to the contracting division thereof, in the amount specified in the notice of bids wanted or the invitation to bid, as a guarantee for the faithful performance thereof.

17. **Submissions and Receipt of Bids:**

- a) Proposals, to receive consideration, must be received prior to the specified time of closing as designated in the invitation.
- b) Bidders must use the Bid Document proposal form furnished by the City as none other will be accepted. Proposal forms must be returned intact. Removal of any part thereof may invalidate the bid.
- c) Bidders are requested to use the Bid Envelope if furnished by the City, or other similarly identified envelope to assure proper handling. Envelopes should be sealed when submitted with information on the face of the Bid Envelope to identify the bid, e.g., Bid Reference number and date of closing and City Agency involved.
- d) Separate proposals must be submitted on each reference number.
- e) Proposals having any erasures or corrections thereon may be rejected unless explained or noted over the signature of the bidder.

Accepted _____ Date _____ as follows:
 Submit-Comptroller Dept. of Purchasing, etc.
 Rejected _____ Date _____ as follows:
 Submit-Comptroller Dept. of Purchasing, etc.

BID FORM

SEPTEMBER 24, 1974, 1974

Board of Park Commissioners
c/o Department of Purchases
Room 470
Number One Main Street
Fort Wayne, Indiana

Gentlemen:

We propose to furnish, install, and pay for all labor, materials, and equipment required for the complete general reconstruction of Franke Park Outdoor Theater and site improvements located in Fort Wayne, Indiana, all as according to the Plans and Specifications prepared by Grinsfelder-McArdle Associates, Inc., Architect, our bid being as follows:

1. Principal General Construction Bid

The complete construction as specified for the sum of
SIX HUNDRED TWENTY SEVEN THOUSAND DOLLARS ----- and NO /100

dollars. (\$ 627,000.00*)

2. Unit Prices

a. Excavation

At a cost of \$12.00* _____ per cubic yard we propose to furnish all labor and materials for additional excavation, fill, and backfill, as may be required because of unsuitable bearing conditions or elevation requirements.

b. Concrete

At a cost of \$170.00* _____ per cubic yard, we propose to furnish all labor and materials for additional concrete, reinforcing, and formwork as may be required because of unsuitable bearing conditions or elevation requirements.

If the Contract is awarded to us within thirty (30) days after bid due date, we will agree to complete all work covered in this Contract within 250 calendar days from date of contract.

Respectfully submitted,

Paul D. Hatfield
Representative of Company

SILKWORTH CONSTRUCTION COMPANY, INC.
Name of Company

501 WOLF DR., FORT WAYNE, INDIANA
Address of Company

CERTIFICATION OF NON-SEGREGATED FACILITIES

Each Bidder required to submit with his bid a fully executed Certificate of Non-Segregated Facilities.

CERTIFICATION OF NON-SEGREGATED FACILITIES*

The bidder certifies that he does not maintain or provide for his employees any segregated facilities at any of his establishments, and that he does not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. The bidder certifies further that he will not maintain or provide for his employees any segregated facilities at any of his establishments, and that he will not permit his employees to perform their services at any location under his control where segregated facilities are maintained. The bidder agrees that a breach of this certification will be a violation of the Equal Opportunity clause in any contract resulting from acceptance of this bid. As used in this certification, the term "segregated facilities" means any waiting rooms, work area, restrooms and washrooms, restaurants and other eating areas, timeclocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, color, religion, or national origin, because of habit, local custom, or otherwise. The bidder agrees that (except where has obtained identical certification from proposed subcontractors for specific time periods) he will obtain identical certification from proposed subcontractors prior to the award of subcontracts exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity clause, and that he will retain such certifications in his files.

Note: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

Date SEPTEMBER 24, 1974, 19 SILKWORTH CONSTRUCTION COMPANY, INC.
(Name of Bidder)

By *Paul D. Hatfield*
Sec. Treas
Title

Official Address (including
ZIP code):

501 WOLF DR., FORT WAYNE, IN 46825

*

Must be included without alteration

It is the policy of SILKWORTH CONSTRUCTION COMPANY, INC. that
(Name of Company)
equal employment opportunity be afforded to all qualified persons
without regard to race, religion, color, sex, or national origin.

In support of this policy SILKWORTH CONSTRUCTION COMPANY, INC. will not
(Name of Company)
discriminate against any employee or applicant for employment because
of race, religion, color, sex, or national origin.

The SILKWORTH CONSTRUCTION COMPANY, INC. will take affirmative
(Name of Company)
action to insure that applicants are employed and that employees
are treated during employment without regard to their race, religion,
color, sex, or national origin. Such action will include but not
be limited to:

RECRUITMENT, ADVERTISING OR SOLICITATION FOR EMPLOYMENT
HIRING, PLACEMENT, UPGRADING, TRANSFER OR DEMOTION SE-
LECTION FOR TRAINING INCLUDING APPRENTICESHIP RATES OF
PAY OR OTHER FORMS OF COMPENSATION LAYOFFS OR TERMINATION.

SILKWORTH CONSTRUCTION COMPANY, INC.
(Name of Company)

Paul D. Hatfield
(Signature of Company Official)

SEPTEMBER 24, 1974
(Date)

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

AFFIRMATIVE ACTION PROGRAM

NAME OF COMPANY SILKWORTH CONSTRUCTION COMPANY, INC.

ADDRESS 501 WOLF DRIVE, FORT WAYNE, INDIANA 46825

INTRODUCTION: All firms who employ five or more persons must submit on a yearly basis an Affirmative Action Program along with their Contract Compliance Review form. To assist you, we have prepared this questionnaire form which will serve as the report of your Affirmative Action Program.

- I. Does your firm have a written equal employment opportunity policy (See Sample)?

YES ~~XXXXX~~

NO _____

If so, attach copy. If not, do you accept the enclosed sample as your policy?

YES _____

NO _____

- II Will your firm make every effort to increase employment of minorities at all levels of its work force with particular emphasis to categories where few, if any, minority people are employed?
- III What specific goals can you achieve for the employment of minorities by 1975?

A. Officials and Managers	_____ %
B. Professionals	_____ %
C. Technicians	_____ %
D. Sales Workers	_____ %
E. Office and Clerical Workers	_____ %
F. Skilled Craftsmen	_____ %
G. Other	_____ %
_____	_____ %
_____	_____ %
_____	_____ %

IV In what departments or divisions of your firm are there few or no minority persons employed?

_____	_____
_____	_____
_____	_____
_____	_____

V Does your company anticipate an increase in employment this year?

YES _____ NO _____

Approximately how many _____

VI In which of the following categories has your firm developed goals and timetables to increase the number of its minority employees during this year?

A. Officials and Managers _____

B. Professionals _____

C. Technicians _____

D. Sales Workers _____

E. Office and Clerical Workers _____

F. Skilled Craftsmen _____

G. Others _____

VII What is your firm's number of employees? _____

VIII

[illegible]

N - Negroes
O - Oriental
I - American Indian
S - Spanish Surname

IX Identify by title and name the highest official within the facility who has overall responsibility for the implementation of the equal employment opportunity policy.

DATE _____

Manager (or) President

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA,

ALLEN

COUNTY

} SS:

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting, nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale or contract.

Paul D. Hatfield, Jr.

Bidder or Agent

For SILKSWORTH CONSTRUCTION COMPANY, INC.

Firm or Corporation

Subscribed and sworn to before me this 24th day of September, 1974

My Commission Expires

January 10, 1977K. Jill Hartranft

REQUEST FOR PUBLICATION

News	
Sentinel	x
Journal	x
Gazette	
Other	

DATE August 29, 1974

Kindly publish the following
advertisement on the dates as
shown and issue invoice to *

* Department Board of Park Commissioners
8th Floor - City County Building
Address One Main Street - Fort Wayne, Indiana

Department of Purchases
City of Fort Wayne

By A. T. Demetroff

BIDS WANTED - REFERENCE NO. 612

Sealed Proposals will be received by the City of Fort Wayne at the
Office of Department of Purchases, Number One Main Street, Room
470, Fort Wayne, Indiana, until Tuesday, September 24, 1974 - 10:30 A.M.
for the following items:

The Reconstruction of the Franke Park Outdoor Theater for the City of
Fort Wayne by and thru the Board of Park Commissioners.

Item #1 - General Construction of Franke Park Outdoor Theater.

Item #2 - Plumbing and Fire Protection Construction at Franke Park Outdoor Theater

Item #3 - Electrical Construction at Franke Park Outdoor Theater

See Sheet A - Attached

Bid Forms, specifications, etc., may be obtained upon application at
the office and address given above, with deposit of \$30.00 for each item.
A Bid Bond or Certified Check in the amount of \$ 5% of Total Bid
must be submitted with the bid.

Department of Purchases
City of Fort Wayne
By A.T. Demetroff
Director of Purchases

INSERT 1st RUN

REPEAT 2nd RUN

Type of Advertising Required

9-3-74

9-10-74

LEGAL NOTICE

Labor, Equipment and Material required for construction of the Outdoor Theater at Franke Park.

"Each Bidder must submit a written Affirmative Action Program with his or her Bid."

"The Affirmative Action Program must include specific goals and timetables for the employment and training of minorities; and for the employment and training of lower income residents of the project area."

"Each Bidder must insure that all employees and applicants for employment are not discriminated against because of their race, creed, color, sex, or national origin."

DEPARTMENT OF PURCHASES
Number One Main St., Ft. Wayne, Ind. 46802
INVITATION

Page 1 of 1

Quotations, subject to the conditions on the reverse hereof, are requested on the following list of materials, supplies, equipment or services, for the department as mentioned, with delivery to destination as shown below. Quotations shall include all charges for delivery, packing, etc. Address your reply as indicated below.

*Mail all replies and correspondence, etc. to Attn. of A.T. Demetroff - 423-7073 DEPARTMENT OF PURCHASES

Ref. No. 612 - Item #2

Date September 3, 1974

Date wanted 9-24-74

Room 470, Number One Main St., Ft. Wayne, Ind. 46802

REQUIRED FOR DELIVERY TO:

Department or Division Board of Park Commissioners
8th Floor - City County Building
 Address One Main Street - Fort Wayne, Indiana

Fund
 Appropriation No. _____

RETURN ORIGINAL TO THE CITY—RETAIN DUPLICATE COPY FOR YOUR FILE

Closing
 Time of Bids Tuesday - September 24, 1974 - 10:30 A.M.

TAXES: THE CITY IS EXEMPT FROM FEDERAL EXCISE AND INDIANA STATE SALES TAX. THE CITY'S INDIANA SALES TAX EXEMPTION CERTIFICATE NUMBER IS NO. 24608. PRICES SHOULD NOT INCLUDE THESE TAXES. See "Instructions to Bidders" No. 10 on reverse hereof for details.

TAX EXEMPT (Unless otherwise indicated)

Quantity	Unit	Materials, Supplies, Equipment or Services	Unit Price	Total Amount
		Item #2 Plumbing and Fire Protection Construction of Franke Park Outdoor Theater. Specifications and Blueprints attached.		

34,930

Bid Bond required ☐ YES ☒ 5% of Bid Performance Bond ☐ YES ☒ 100% of Bid
 See Instruction Item No. 18 on reverse side hereof.
 Terms % cash discount if paid within days from delivery and acceptance of goods or completion of services.

PROPOSAL OR BID

In compliance with the above invitation for bids and subject to all conditions thereof, the undersigned offers and agrees, if this bid be accepted within a reasonable time from date of closing, to furnish any or all of the items or render such services upon which prices are quoted, in accordance with the specifications applying and at the price set opposite each item.

Delivery of any or all of the items or completion of services indicated shall be made within days from receipt of order.

IMPORTANT

As delivery may be a deciding factor in the award of an order, it is important that bidders furnish the information requested above.

Sign Here:

SHAMBAUGH & SON Inc.

Per Charles P. Shambaugh Title Vice Pres.

Address 137 CHAMBERLAIN RD

City FT WAYNE

24-6-74

GENERAL CONDITIONS, INSTRUCTIONS TO BIDDERS AND INFORMATION FOR BIDDERS

1. **Special Conditions:** Special conditions included in the Bid Document shall take precedence over any provisions stipulated hereunder.
2. **Applicable Laws:** The Revised statutes of the State of Indiana, and all City ordinances insofar as they apply to the laws of competitive bidding, contracts, and purchases, are made a part hereof.
3. **Workmen's Compensation:** Insofar as Workmen's Compensation Act is concerned, the bidder or contractor agrees to furnish an official, certificate from the Industrial Board of Indiana, showing that he is in compliance with such law, whenever such certificates are required in the Bid Document.
4. **Infringements and Indemnifications:** The bidder, if awarded an order or contract, agrees to protect, defend, and save the City harmless against any demand for payment for the use of any patented material, process, article, or device that may enter into the manufacture, construction, or form a part of the work covered by either order or contract and he further agrees to indemnify and save the City harmless from suits or actions of every nature and description brought against it, for or on account of any injuries or damages received or sustained by a party or parties, by or from any of the acts of the contractor, his servants, or agents.

To this extent the bidder or contractor agrees to furnish adequate Public Liability and Property Damage Insurance, the amount of which will be determined by the City whenever such insurance is deemed necessary. When so required the types and amounts of insurance to be provided is set forth in the Bid Document.
5. **Pricing:** Prices should be stated in units of quantity specified in the Bid Document. In case of discrepancy in computing the amount of the bid the unit prices quoted will govern.
6. **Deliveries:** Quotations should include all charges for delivery, packing, crating, containers, etc. Unless otherwise stated by the bidder prices quoted will be considered as being based on delivery to the destination designated in the Bid Document and to include all delivery and packing charges.
7. **Specifications:** Unless otherwise stated by the bidder the proposal will be considered as being in strict accordance with the specifications outlined in the Bid Document.

References to a particular trade name, manufacturer's catalog or model number are made for descriptive purposes to guide the bidder in interpreting the requirements of the City. They should not be construed as excluding proposals on other types of materials, equipment and supplies. However the bidder, if awarded a contract, will be required to furnish the particular item referred to in the specifications or description unless a departure or substitution is clearly noted and described in the proposal.
8. **Samples:** Samples, when requested, must be furnished free of expense to the City and if not destroyed, will upon request be returned at the bidder's expense.
9. **Cash Discounts:** Time in connection with cash discount offered, will be computed from date of delivery and acceptance at final destination or from date properly executed claim voucher is received, if the latter date is later than the date of delivery and acceptance.
10. **Taxes:** The City is generally exempt from Federal Excise and Indiana State Sales Tax. Quotations must be separated to show the amount to be added for taxes of any kind if applicable. Prices should not include tax. The City will pay such taxes as are applicable to this purchase. Exemption forms will be furnished wherever necessary. Taxes wherever indicated and which are applicable to this purchase, will not be subject to any trade or cash discounts.
11. **BM Informalities and Rejection:** The City reserves the right to waive informalities not inconsistent with law or to reject any or all bids.
12. **Awards:** Unless otherwise specified in the Bid Document the City reserves the right to accept any item in the bid. Unless otherwise stated in the Bid Document bidders may submit proposals on any item or group of items, provided however that the unit prices are shown as requested.
13. **Payments:** Partial payments may be made upon presentation of properly executed claim voucher unless otherwise stated in the Bid Document. The final payment will be made by the City when the materials, supplies or equipment has been fully delivered and accepted or the work completed to the full satisfaction of the City.
14. **Bidder's Signature:** Each proposal form must be signed by the bidder with his usual signature. All signatures should be in full.

Bids by partnerships should include the names of the partners composing the partnership and must be signed by one or more of the partners in the following manner: "John Jones and James Smith, d.b.a., Smith-Jones Company, by John Jones, a partner".

Bids by corporations must be signed with the names of the corporation, followed by the signature and designation of the president, vice-president, or person authorized to bind it in the matter.
15. **The successful bidder, or contractor, agrees that he will comply with Indiana Acts 1961, chapter 208, section 10, being Burns Indiana Statute 40-2518-1954 supplement requiring such bidder, contractor, or his subcontractor not to discriminate with respect to hiring, tenure, terms, conditions, or privileges of employment because of race, color religion, national origin or ancestry.**
16. **Unless otherwise specifically indicated under the individual listing in the legal advertisement or invitation to bid, all bids shall be subject to the following.**
 - a) A Bid bond, deposit of cash, certified check or Bank Cashiers Check, in the amount specified, drawn on a solvent bank payable to the City of Fort Wayne or to the contracting division thereof.
 - b) The successful bidder will be required to furnish a bond or Certified Check on a solvent bank, payable to the City of Fort Wayne or to the contracting division thereof, in the amount specified in the notice of bids wanted or the invitation to bid, as a guarantee for the faithful performance thereof.
17. **Submission and Receipt of Bids:**
 - a) Proposals, to receive consideration, must be received prior to the specified time of closing as designated in the invitation.
 - b) Bidders must use the Bid Document proposal form furnished by the City as none other will be accepted. Proposal forms must be returned intact. Removal of any part thereof may invalidate the bid.
 - c) Bidders are requested to use the Bid Envelope if furnished by the City, or other similarly identified envelope to assure proper handling. Envelopes should be sealed when submitted with information on the face of the Bid Envelope to identify the bid, e.g., Bid Reference number and date of closing and City Agency involved.
 - d) Separate proposals must be submitted on each reference number.
 - e) Proposals having any erasures or corrections thereon may be rejected unless explained or noted over the signature of the bidder.

Accepted _____ 10 _____ as follows: _____

Date

Best-Contractor Dept. of Purchasing, etc.

Rejected _____ 10 _____ as follows: _____

Date

Best-Contractor Dept. of Purchasing, etc.

BID FORM

SEPT 24, 1974

Board of Park Commissioners
c/o Department of Purchases
Room 470
Number One Main Street
Fort Wayne, Indiana

Gentlemen:

We propose to furnish, install, and pay for all labor, materials and equipment required for the complete plumbing and fire protection reconstruction of Franke Park Outdoor Theater and site improvements located in Fort Wayne, Indiana, all as according to the Plans and Specifications prepared by Grinsfelder-McArdle Associates, Inc., Architect, our bid being as follows:

1. Principal Plumbing and Fire Protection Construction Bid

The complete construction as specified for the sum of _____ and _____/100
dollars. (\$ 34,930⁰⁰)

If the Contract is awarded to us within thirty (30) days after bid due date, we will agree to complete all work covered in this Contract within 20 calendar days from date of Contract.

Respectfully submitted,

Chris L. Robinson V.P.
Representative of Company

CHAMBAUGH & SON Inc.
Name of Company

137 CHAMBEAU RD.
Address of Company
FT. WAYNE, IND.

CERTIFICATION OF NON-SEGREGATED FACILITIES

Each Bidder required to submit with his bid a fully executed Certificate of Non-Segregated Facilities.

CERTIFICATION OF NON-SEGREGATED FACILITIES*

The bidder certifies that he does not maintain or provide for his employees any segregated facilities at any of his establishments, and that he does not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. The bidder certifies further that he will not maintain or provide for his employees any segregated facilities at any of his establishments, and that he will not permit his employees to perform their services at any location under his control where segregated facilities are maintained. The bidder agrees that a breach of this certification will be a violation of the Equal Opportunity clause in any contract resulting from acceptance of this bid. As used in this certification, the term "segregated facilities" means any waiting rooms, work area, restrooms and washrooms, restaurants and other eating areas, timeclocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, color, religion, or national origin, because of habit, local custom, or otherwise. The bidder agrees that (except where has obtained identical certification from proposed subcontractors for specific time periods) he will obtain identical certification from proposed subcontractors prior to the award of subcontracts exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity clause, and that he will retain such certifications in his files.

Note: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

Date SEPT 24, 19 74 SHAMBAUGH & SONS INC.
(Name of Bidder)

Official Address (including
ZIP code):

137 CHAMBEAU RD.
FT. WAYNE, IND.
46805

By ALVIN R. WHITSON
VICE PRES.
Title

*

Must be included without alteration

It is the policy of

SHAMBAUGH & Son Inc
(Name of Company)

equal employment opportunity be afforded to all qualified persons without regard to race, religion, color, sex, or national origin.

In support of this policy

SHAMBAUGH & Son Inc
(Name of Company)

will not discriminate against any employee or applicant for employment because of race, religion, color, sex, or national origin.

The

SHAMBAUGH & Son Inc
(Name of Company)

will take affirmative action to insure that applicants are employed and that employees are treated during employment without regard to their race, religion, color, sex, or national origin. Such action will include but not be limited to:

RECRUITMENT, ADVERTISING OR SOLICITATION FOR EMPLOYMENT
HIRING, PLACEMENT, UPGRADING, TRANSFER OR DEMOTION SE-
LECTION FOR TRAINING INCLUDING APPRENTICESHIP RATES OF
PAY OR OTHER FORMS OF COMPENSATION LAYOFFS OR TERMINATION.

SHAMBAUGH & Son Inc
(Name of Company)

Alvin L. Whiting V.P.
(Signature of Company Official)

SEPT 24 1974
(Date)

CITY OF FORT WAYNE

BOARD OF PUBLIC WORKS

AFFIRMATIVE ACTION PROGRAM

NAME OF COMPANY

SHAMBAUGH & SONS INC

ADDRESS

137 CHAMBERLAIN RD FT. WAYNE

INTRODUCTION: All firms who employ five or more persons must submit on a yearly basis an Affirmative Action Program along with their Contract Compliance Review form. To assist you, we have prepared this questionnaire form which will serve as the report of your Affirmative Action Program.

- I. Does your firm have a written equal employment opportunity policy (See Sample)?

YES

NO

If so, attach copy. If not, do you accept the enclosed sample as your policy?

YES

NO

- II Will your firm make every effort to increase employment of minorities at all levels of its work force with particular emphasis to categories where few, if any, minority people are employed?
- III What specific goals can you achieve for the employment of minorities by 1975?

A. Officials and Managers

22

B. Professionals

2

C. Technicians

2022

D. Sales Workers

2

E. Office and Clerical Workers

F. Skilled Craftsmen

25

G. Other



CARBONERS

50 100/100

24

2

Heating
Sprinkler Systems
Refrigeration
Air Conditioning
Process Piping



Fort Wayne, Indiana
Phone: 484-0741
Zip Code 46805

POLICY OF AFFIRMATIVE ACTION

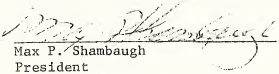
FOR EQUAL OPPORTUNITY EMPLOYMENT - AUGUST , 1974

TO ALL EMPLOYEES AND PROSPECTIVE EMPLOYEES

Note the following outline of company policy as listed below:

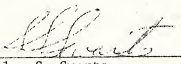
1. All recruiting of and hiring of employees to be non-discriminatory.
2. Youths of minority groups are encouraged to apply for employment.
3. Present employees are encouraged to recruit members of minority groups for employment by this company.
4. Members of Local #166 are encouraged to recruit members of minority groups for employment by this company.
5. Members of minority groups employed by this company will be placed, promoted and paid strictly on their ability to perform their job without regard to color, race or creed.
6. If lay-offs are required, selection of those layed off will be on a non-discriminatory basis.
7. It is the policy of this company to promote a continuing policy to aid the employment as many members of minority groups as possible.
8. This statement of policy is to be posted at company office and construction sites.

SHAMBAUGH & SON, INC.


Max P. Shambaugh
President

MPS/bjc

Per the requirements of your specifications of subject job, be advised that we have in the past, and are presently performing work under the President's Executive Order #11246.


Sherley S. Swarts
Secretary

August 13, 1974

IV In what departments or divisions of your firm are there few or no minority persons employed?

OFFICIALS & MANAGERS

PROFESSIONALS

SKILLED CRAFTSMEN

V Does your company anticipate an increase in employment this year?

YES _____ NO ☒

Approximately how many _____

VI In which of the following categories has your firm developed goals and timetables to increase the number of its minority employees during this year?

A. Officials and Managers _____

B. Professionals _____

C. Technicians _____

D. Sales Workers _____

E. Office and Clerical Workers _____

F. Skilled Craftsmen ☒

G. Others

LABORERS ☒

VII What is your firm's number of employees?

431

- IX Identify by title and name the highest official within the facility who has overall responsibility for the implementation of the equal employment opportunity policy.

EUGENE SHAMBAUGH

DATE

SEPT 24, 1974

MANAGER

Manager (or) President

NON-COLLUSION AFFIDAVITSTATE OF INDIANA,
ALLEN COUNTY } SS:

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting, nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale or contract.

Charles L. Robinson V.P.
Bidder or Agent

For SHAMBAUGH & SON, INC.
Firm or Corporation

Subscribed and sworn to before me this 24TH day of SEPTEMBER, 1974

My Commission Expires

10-20-75

Sandra Kay Steffen

REQUEST FOR PUBLICATION

News	
Sentinel	x
Journal	x
Gazette	
Other	

DATE August 29, 1974

Kindly publish the following advertisement on the dates as shown and issue invoice to *

* Department Board of Park Commissioners
8th Floor - City County Building
Address One Main Street - Fort Wayne, Indiana

Department of Purchases
City of Fort Wayne

By *[Signature]*

BIDS WANTED - REFERENCE NO. 612

Sealed Proposals will be received by the City of Fort Wayne at the Office of Department of Purchases, Number One Main Street, Room 470, Fort Wayne, Indiana, until Tuesday, September 24, 1974 - 10:30 A.M.
for the following items:

The Reconstruction of the Franke Park Outdoor Theater for the City of Fort Wayne by and thru the Board of Park Commissioners.

- Item #1 - General Construction of Franke Park Outdoor Theater.
- Item #2 - Plumbing and Fire Protection Construction at Franke Park Outdoor Theater
- Item #3 - Electrical Construction at Franke Park Outdoor Theater

See Sheet A - Attached

Bid Forms, specifications, etc., may be obtained upon application at the office and address given above, with deposit of \$30.00 for each item. A Bid Bond or Certified Check in the amount of \$ 5% of Total Bid must be submitted with the bid.

Department of Purchases
City of Fort Wayne
By A.T. Demetroff
Director of Purchases

INSERT 1st RUN

REPEAT 2nd RUN

Type of Advertising Required

9-3-74

9-10-74

LEGAL NOTICE

Labor, Equipment and Material required for construction of the Outdoor Theater at Franke Park.

"Each Bidder must submit a written Affirmative Action Program with his or her Bid."

"The Affirmative Action Program must include specific goals and timetables for the employment and training of minorities; and for the employment and training of lower income residents of the project area."

"Each Bidder must insure that all employees and applicants for employment are not discriminated against because of their race, creed, color, sex, or national origin."

DEPARTMENT OF PURCHASES
Number One Main St., Ft. Wayne, Ind. 46802

INVITATION

Quotations, subject to the conditions on the reverse hereof, are requested on the following list of materials, supplies, equipment or services, for the department as mentioned, with delivery to destination as shown below. Quotations shall include all charges for delivery, packing, etc. Address your reply as indicated below.

*Mail all replies and correspondence, etc. to Attn. of A.T. Demetroff - 423-7037 DEPARTMENT OF PURCHASES

Room 470, Number One Main St., Ft. Wayne, Ind. 46802

REQUIRED FOR DELIVERY TO:

Department Board of Park Commissioners
or Division 8th Floor - City County Building

Address One Main Street - Fort Wayne, Indiana 46802

RETURN ORIGINAL TO THE CITY—RETAIN DUPLICATE COPY FOR YOUR FILE

Closing Tuesday - September 24, 1974 - 10:30 A.M.
Time of Bids

TAXES: THE CITY IS EXEMPT FROM FEDERAL EXCISE AND INDIANA STATE SALES TAX. THE CITY'S INDIANA SALES TAX EXEMPTION CERTIFICATE NUMBER IS NO. 24503. PRICES SHOULD NOT INCLUDE THESE TAXES. See "Instructions to Bidders" No. 10 on reverse hereof for details.

TAX EXEMPT (Unless otherwise indicated)

Quantity	Unit	Materials, Supplies, Equipment or Services	Unit Price	Total Amount
		Item #3 Electrical Construction of Franke Park Outdoor Theater Specifications and Blueprints attached.		\$35,400.00

Bid Bond required ☐ NO ☒ YES 5% of Bid Performance Bond ☐ NO ☒ YES 100% of Bid

See instruction item No. 16 on reverse side hereof.

Terms % cash discount if paid within days from delivery and acceptance of goods or completion of services.

PROPOSAL OR BID

In accordance with the above invitation for bids and subject to all conditions thereof, the undersigned offers and agrees, if this bid be accepted within a reasonable time from date of closing, to furnish any or all of the items or render such services upon which prices are quoted, in accordance with the specifications appearing and at the price set opposite each item.

Delivery of any or all of the items or completion of services indicated shall be made within days from receipt of order.

IMPORTANT

As delivery may be a deciding factor in the award of an order, it is important that bidders furnish the information requested above.

Sign Here:

SCHMIDT ELECTRIC, INC.
Name of Company
Per Richard P. Ballak Title Vice Pres.
Address P.O. Box 2625
City Ft. Wayne Ind

GENERAL CONDITIONS, INSTRUCTIONS TO BIDDERS AND INFORMATION FOR BIDDERS

1. **Special Conditions:** Special conditions included in the Bid Document shall take precedence over any provisions stipulated hereunder.
2. **Applicable Laws:** The Revised statutes of the State of Indiana, and all City ordinances insofar as they apply to the laws of competitive bidding, contracts, and purchases, are made a part hereof.
3. **Workmen's Compensation:** Insofar as Workmen's Compensation Act is concerned, the bidder or contractor agrees to furnish an official, certificate from the Industrial Board of Indiana, showing that he is in compliance with such law, whenever such certificates are required in the Bid Document.
4. **Infringements and Indemnifications:** The bidder, if awarded an order or contract, agrees to protect, defend, and save the City harmless against any demand for payment for the use of any patented material, process, article, or device that may enter into the manufacture, construction, or form a part of the work covered by either order or contract and he further agrees to indemnify and save the City harmless from suits or actions of every nature and description brought against him, for or on account of any injuries or damages received or sustained by a party or parties, by or from any of the acts of the contractor, his servants, or agents.

To this extent the bidder or contractor agrees to furnish adequate Public Liability and Property Damage Insurance, the amount of which will be determined by the City whenever such insurance is deemed necessary. When so required the types and amounts of insurance to be provided is set forth in the Bid Document.
5. **Pricing:** Prices should be stated in units of quantity specified in the Bid Document. In case of discrepancy in computing the amount of the bid the unit prices quoted will govern.
6. **Delivery:** Quotations should include all charges for delivery, packing, crating, containers, etc. Unless otherwise stated by the bidder prices quoted will be considered as being based on delivery to the destination designated in the Bid Document and to include all delivery and packing charges.
7. **Specifications:** Unless otherwise stated by the bidder the proposal will be considered as being in strict accordance with the specifications outlined in the Bid Document.

References to a particular trade name, manufacturer's catalog or model number are made for descriptive purposes to guide the bidder in interpreting the requirements of the City. They should not be construed as excluding proposals on other types of materials, equipment and supplies. However the bidder, if awarded a contract, will be required to furnish the particular item referred to in the specifications or description unless a departure or substitution is clearly noted and described in the proposal.
8. **Samples:** Samples, when requested, must be furnished free of expense to the City and if not destroyed, will upon request be returned at the bidder's expense.
9. **Cash Discounts:** Time in connection with cash discount offered, will be computed from date of delivery and acceptance at final destination or from date properly executed claim voucher is received, if the latter date is later than the date of delivery and acceptance.
10. **Taxes:** The City is generally exempt from Federal Excise and Indiana State Sales Tax. Quotations must be separated to show the amount to be added for taxes of any kind if applicable. Prices should not include tax. The City will pay such taxes as are applicable to this purchase. Exemption forms will be furnished wherever necessary. Taxes wherever indicated and which are applicable to this purchase, will not be subject to any trade or cash discounts.
11. **Bid Informalities and Rejection:** The City reserves the right to waive informalities not inconsistent with law or to reject any or all bids.
12. **Awards:** Unless otherwise specified in the Bid Document the City reserves the right to accept any item in the bid. Unless otherwise stated in the Bid Document bidders may submit proposals on any item or group of items, provided however that the unit prices are shown as requested.
13. **Payments:** Partial payments may be made upon presentation of properly executed claim voucher unless otherwise stated in the Bid Document. The final payment will be made by the City when the materials, supplies or equipment has been fully delivered and accepted or the work completed to the full satisfaction of the City.
14. **Bidder's Signature:** Each proposal form must be signed by the bidder with his usual signature. All signatures should be in full.

Bids by partnership should include the names of the partners composing the partnership and must be signed by one or more of the partners in the following manner: "John Jones and James Smith, d.b.a., Smith-Jones Company, by John Jones, a partner".

Bids by corporations must be signed with the names of the corporation, followed by the signature and designation of the president, vice-president, or person authorized to bind it in the matter.
15. **The successful bidder, or contractor, agrees that he will comply with Indiana Acts 1961, chapter 208, section 10, being Burns Indiana Statute 40-2314-1964 supplement requiring such bidder, contractor, or his subcontractor not to discriminate with respect to hiring, tenure, terms, conditions, or privileges of employment because of race, color religion, national origin or ancestry.**
16. **Unless otherwise specifically indicated under the individual listing in the legal advertisement or invitation to bid, all bids shall be subject to the following.**
 - a) A Bid bond, deposit of cash, certified check or Bank Cashiers Check, in the amount specified, drawn on a solvent bank payable to the City of Fort Wayne or to the contracting division thereof.
 - b) The successful bidder will be required to furnish a bond or Certified Check on a solvent bank, payable to the City of Fort Wayne or to the contracting division thereof, in the amount specified in the notice of bids wanted or the invitation to bid, as a guarantee for the faithful performance thereof.
17. **Submission and Receipt of Bids:**
 - a) Proposals, to receive consideration, must be received prior to the specified time of closing as designated in the invitation.
 - b) Bidders must use the Bid Document proposal form furnished by the City as none other will be accepted. Proposal forms must be returned intact. Removal of any part thereof may invalidate the bid.
 - c) Bidders are requested to use the Bid Envelope if furnished by the City, or other similarly identified envelope to assure proper handling. Envelopes should be sealed when submitted with information on the face of the Bid Envelope to identify the bid, e.g. Bid Reference number and date of closing and City Agency involved.
 - d) Separate proposals must be submitted on each reference number.
 - e) Proposals having any erasures or corrections thereon may be rejected unless explained or noted over the signature of the bidder.

Accepted _____ Date _____ 10 _____ as follows:

Board-Commissioner Dept. of Purchasing, etc.

Reflected _____ Date _____ 10 _____ as follows:

Board-Commissioner Dept. of Purchasing, etc.

BID FORM

9-24, 1974

Board of Park Commissioners
c/o Department of Purchases
Room 470
Number One Main Street
Fort Wayne, Indiana

Gentlemen:

We propose to furnish, install, and pay for all labor, materials, and equipment required for the complete electrical reconstruction of Franke Park Outdoor Theater and site improvements located in Fort Wayne, Indiana, all as according to the Plans and Specifications prepared by Grinsfelder-McArdle Associates, Inc., Architect, our bid being as follows:

1. Principal Electrical Construction Bid

The complete construction as specified for the sum of
THIRTY FIVE THOUSAND FOUR HUNDRED And NO /100
dollars. (\$ 35,400.00)

If the Contract is awarded to us within thirty (30) days after bid due date, we will agree to complete all work covered in this Contract within A calendar days from date of contract.

As GENERAL CONTRACTOR RECEIVED
Respectfully submitted,

Richard F. Bellah
Representative of Company

SCHMIDT ELECTRIC, INC.
Name of Company

5810 ILLINOIS ROAD
Address of Company
FT. WAYNE, INDIANA

10

CERTIFICATION OF NON-SEGREGATED FACILITIES

Each Bidder required to submit with his bid a fully executed Certificate of Non-Segregated Facilities.

CERTIFICATION OF NON-SEGREGATED FACILITIES*

The bidder certifies that he does not maintain or provide for his employees any segregated facilities at any of his establishments, and that he does not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. The bidder certifies further that he will not maintain or provide for his employees any segregated facilities at any of his establishments, and that he will not permit his employees to perform their services at any location under his control where segregated facilities are maintained. The bidder agrees that a breach of this certification will be a violation of the Equal Opportunity clause in any contract resulting from acceptance of this bid. As used in this certification, the term "segregated facilities" means any waiting rooms, work area, restrooms and washrooms, restaurants and other eating areas, timeclocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, color, religion, or national origin, because of habit, local custom, or otherwise. The bidder agrees that (except where has obtained identical certification from proposed subcontractors for specific time periods) he will obtain identical certification from proposed subcontractors prior to the award of subcontracts exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity clause, and that he will retain such certifications in his files.

Note: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

Date 9-24, 1974

SCHMIDT ELECTRIC, INC.
(Name of Bidder)

By Richard F. Bellik
VICE-PRESIDENT
Title

Official Address (including ZIP code):

P.O. Box 2625
Ft. WAYNE, Ind 46808

*

Must be included without alteration

It is the policy of SCHMIDT ELECTRIC, INC. that
(Name of Company)
equal employment opportunity be afforded to all qualified persons
without regard to race, religion, color, sex, or national origin.

In support of this policy SCHMIDT ELECTRIC, INC. will not
(Name of Company)
discriminate against any employee or applicant for employment because
of race, religion, color, sex, or national origin.

The SCHMIDT ELECTRIC, INC. will take affirmative
(Name of Company)
action to insure that applicants are employed and that employees
are treated during employment without regard to their race, religion,
color, sex, or national origin. Such action will include but not
be limited to:

RECRUITMENT, ADVERTISING OR SOLICITATION FOR EMPLOYMENT
HIRING, PLACEMENT, UPGRADING, TRANSFER OR DEMOTION SE-
LECTION FOR TRAINING INCLUDING APPRENTICESHIP RATES OF
PAY OR OTHER FORMS OF COMPENSATION LAYOFFS OR TERMINATION.

SCHMIDT ELECTRIC, INC.
(Name of Company)

Richard P. Ballik
(Signature of Company Official)

9-24-74
(Date)

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

AFFIRMATIVE ACTION PROGRAM

NAME OF COMPANY

SCHMIDT ELECTRIC, INC.

ADDRESS

P.O. Box 2625 Ft. WAYNE, Ind. 46808

INTRODUCTION: All firms who employ five or more persons must submit on a yearly basis an Affirmative Action Program along with their Contract Compliance Review form. To assist you, we have prepared this questionnaire form which will serve as the report of your Affirmative Action Program.

- I. Does your firm have a written equal employment opportunity policy (See Sample)?

YES ~~X~~

NO

ON File with City of Ft. WAYNE

If so, attach copy. If not, do you accept the enclosed sample as your policy?

YES X

NO

- II Will your firm make every effort to increase employment of minorities at all levels of its work force with particular emphasis to categories where few, if any, minority people are employed? YES
- III What specific goals can you achieve for the employment of minorities by 1975?

- A. Officials and Managers _____
B. Professionals _____
C. Technicians _____
D. Sales Workers _____
E. Office and Clerical Workers _____
F. Skilled Craftsmen 15 _____
G. Other _____

15. <https://doi.org/10.1002/anie.201908001>

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IV In what departments or divisions of your firm are there few or no minority persons employed?

Office Help

V Does your company anticipate an increase in employment this year?

YES X NO _____

Approximately how many 10 Electricians

VI In which of the following categories has your firm developed goals and timetables to increase the number of its minority employees during this year?

A. Officials and Managers _____

B. Professionals _____

C. Technicians _____

D. Sales Workers _____

E. Office and Clerical Workers _____

F. Skilled Craftsmen X

G. Others

VII What is your firm's number of employees?

13

VIII

JOB TITLES	NUMBER EMPLOYED	*N	O	I	S
Electrician App.	3	1			
Electrician's	6				
Office	4				

N - Negroes
O - Oriental
I - American Indian
S - Spanish Surname

- IX Identify by title and name the highest official within the facility who has overall responsibility for the implementation of the equal employment opportunity policy.

RICHARD P. BELLICH

DATE 9-24-74

VICE-PRES. & E.E.O. Officer
Richard P. Bellich
Manager (or) President

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA,

Allen } SS:
COUNTY

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting, nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale or contract.

Richard P. Bellah
Bidder or Agent
For SCHMIDT ELECTRIC, INC.
Firm or Corporation

Subscribed and sworn to before me this 24 day of SEPTEMBER, 1974

My Commission Expires

January 14, 1977

Eleanor M. Holloway

REQUEST FOR PUBLICATION

News
Sentinel x
Journal x
Gazette x
Other

DATE August 29, 1974

Kindly publish the following
advertisement on the dates as
shown and issue invoice to *

* Department Board of Park Commissioners
8th Floor - City County Building
Address One Main Street - Fort Wayne, Indiana

Department of Purchases
City of Fort Wayne

By *A. T. Demetroff*

BIDS WANTED - REFERENCE NO. 612

Sealed Proposals will be received by the City of Fort Wayne at the
Office of Department of Purchases, Number One Main Street, Room
470, Fort Wayne, Indiana, until Tuesday, September 24, 1974 - 10:30 A.M.
for the following items:

The Reconstruction of the Franke Park Outdoor Theater for the City of
Fort Wayne by and thru the Board of Park Commissioners.

- Item #1 - General Construction of Franke Park Outdoor Theater.
- Item #2 - Plumbing and Fire Protection Construction at Franke Park Outdoor Theater
- Item #3 - Electrical Construction at Franke Park Outdoor Theater

See Sheet A - Attached

Bid Forms, specifications, etc., may be obtained upon application at
the office and address given above., with deposit of \$30.00 for each item.
A Bid Bond or Certified Check in the amount of \$ 5% of Total Bid
must be submitted with the bid.

Department of Purchases
City of Fort Wayne
By A.T. Demetroff
Director of Purchases

INSERT 1st RUN

REPEAT 2nd RUN

Type of Advertising Required

9-3-74

9-10-74

LEGAL NOTICE

Labor, Equipment and Material required for construction of the Outdoor Theater at Franke Park.

"Each Bidder must submit a written Affirmative Action Program with his or her Bid."

"The Affirmative Action Program must include specific goals and timetables for the employment and training of minorities; and for the employment and training of lower income residents of the project area."

"Each Bidder must insure that all employees and applicants for employment are not discriminated against because of their race, creed, color, sex, or national origin."

DIGEST SHEETS-75-02-03

TITLE OF ORDINANCE _____

DEPARTMENT REQUESTING ORDINANCE Park Department

SYNOPSIS OF ORDINANCE An ordinance approving certain bid documents
with Silkworth Construction Co., Shambaugh & Sons, Inc., and Schmidt
Electric, for furnishing of materials and labor for the reconstruction
of Foellinger Outdoor Theatre.

These Bids were the lowest and best bids received

EFFECT OF PASSAGE Re-construction of Outdoor Theatre in Franke Park
to provide cultural and leisure-time events and activities for citizens
of Fort Wayne. Ready for use by 1976 for Bi-Centennial Events.

EFFECT OF NON-PASSAGE Re-construction of Outdoor Theatre postponed.
No. benefits to citizens. Lack of appropriate outdoor recreational/cultural
arts center for community. Existing facilities remaining after fire will
continue to be a liability.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

\$697,330.00ASSIGNED TO COMMITTEE (J.N.) Finance JH